

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

CHAMBERS OF
ANN D. MONTGOMERY
DISTRICT JUDGE



13W U.S. COURTHOUSE
MINNEAPOLIS, MINNESOTA 55415
612. 664.5090

November 28, 2017

VIA CM/ECF

**IN RE: SUPERVALU, INC., CUSTOMER DATA SECURITY BREACH LITIGATION
CIVIL CASE NO. 14-MD-2586 ADM/TNL**

Dear Counsel:

I have received Plaintiffs' November 21, 2017 letter [Docket No. 101] requesting permission to file a reply memorandum in support of the Class Plaintiffs' Motion for Leave to Amend Their Complaint Pursuant to Fed. R. Civ. P. 15(a)(2) [Docket No. 91]. I have also received Defendants' November 22, 2017 letter [Docket No. 103] requesting that Plaintiffs' request be denied.

The issues were adequately briefed in the parties' opening and response briefs, and a reply brief was not necessary. Local Rule 7.1(b)(3) prohibits the filing of a reply memorandum in support of a nondispositive motion without the Court's prior permission. Plaintiffs essentially circumvented this rule by filing a proposed reply brief as an exhibit to their November 21 letter. Defendants' November 22 letter raises substantive arguments addressing the arguments presented in the "proposed" reply brief. Therefore, the Court will treat these submissions as Plaintiffs' reply memorandum and Defendants' surreply. No further submissions are required or allowed.

In the future, when the Local Rules require a party to obtain the Court's permission prior to submitting a filing, a party may not submit a "proposed" filing prior to obtaining the required permission.

Very truly yours,

s/Ann D. Montgomery

Ann D. Montgomery